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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/579,997	05/26/2000	Stephen D. Smith	REDA:0093/ID99-10	9764

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EXAMINER
LAM, THANH

ART UNIT PAPER NUMBER
2834

DATE MAILED: 06/27/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/579,997	Applicant(s) SMITH ET AL.	
	Examiner Thanh Lam	Art Unit 2834	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 21-23 is/are pending in the application.
 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-16 and 21-23 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
 If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ | 6) <input type="checkbox"/> Other: |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-2, 7-12, and 14-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Breit (pn. 6,288,470).

Regarding claim 1, Breit disclose (see figs. 1-13) an electric motor, comprising: a plurality of stator sections (32) each stator section comprising an outer housing (24), wherein the plurality of stator sections arm mechanically and electrically coupleable to form a stator of a desired length; and a single rotor shaft (28) disposed through the plurality of stator sections.

Regarding claims 2 and 15, Breit discloses the plurality of stator sections includes: a first stator section having a plurality of conductors (60) extending longitudinally therethrough; a second stator section, electrically coupleable to an electrical power source and to the first stator section; and a third stator section, electrically coupleable to the first stator section; wherein electricity flowing through the plurality of stator sections produces a magnetic field that imparts rotative motion to the rotor.

Regarding claims 7, Breit discloses at least one stator section includes a plurality of conductors terminating at a plurality of corresponding protrusions.

Regarding claims 8, Breit discloses at least one stator section includes a plurality of conductive elements configured for engagement with the plurality of corresponding protrusions when the stator sections are mechanically coupled.

Regarding claims 9, Breit discloses each conductive element includes a hollow receptacle sized to received a corresponding protrusion.

Regarding claims 10, Breit discloses at least one stator section is coupled to an adjacent stator section by a separate coupling device.

Regarding claims 11, Breit discloses the coupling device is configured to mechanically and electrically couple the at least one stator section to the adjacent stator section.

Regarding claims 12, Breit discloses each coupling device includes a plurality of receptacles to receive a corresponding plurality of protruding conductors.

Regarding claims 14, Breit discloses a submersible pumping systems comprising: a submersible electric motor comprising: a plurality of modular motor sections, each motor section comprising a stator section and a housing section defining an outer surface of the submersible pumping system, wherein the modular motor sections are mechanically and electrically coupleable to form a motor of a desired length a rotor disposed within the plurality of modular motor sections; and a submersible pump drivingly coupled to the rotor of the submersible electric motor

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 3-5, and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breit in view of Rivas (PN. 6,201,327).

Breit disclose every aspect of the claimed invention except for at least some of the plurality of stator sections are fluidly coupleable to allow a fluid flow wherethrough.

Rivas disclose at least some of the plurality of stator sections are fluidly coupleable to allow a fluid flow therethrough (see col. 3, lines 26-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the stator sections of Breit to accommodate with stator sections are fluidly coupleable to allow a fluid flow therethrough as taught by Rivas in order to improve cooling of the motor.

Regarding claims 4, the proposal in combination of Breit and Rivas disclose the first stator section and the second stator section are fluidly coupleable to allow fluid to pass between the first and the second stator sections.

Regarding claims 5, the proposal in combination of Breit and Rivas disclose the second stator section is fluidly coupleable to an external device.

Regarding claims 16, the proposal in combination of Breit and Rivas disclose a motor Protector (4), wherein the first, second and third stator sections are fluidly coupleable so as to allow fluid to pass between the first stator section and the motor protector.

6. Claims 6,13,21, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Breit in vie of Mech et al. (4,578,608).

Breit disclose every aspect of the claimed invention except for the stator sections comprises at least one of a threaded collar and a threaded portion adapted to receive the threaded collar to enable each of the plurality of stator sections to be mechanically and electrically connects to an adjacent stator section.

Mech et al. disclose the stator sections (1-3) comprises at least one of a threaded collar (10, 10a) and a threaded portion adapted to receive the threaded collar to enable each of the plurality of stator sections to be mechanically and electrically connects to an adjacent stator section.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the stator sections of Breit to accommodate a threaded collar structure as taught by Mech et al. in order to provide the stator sections with ease to assembly.

Regarding claim 6, the the proposal in combination of Breit and Mech et al. disclose further comprising a plurality of seals (64-67) disposed between stator sections.

Regarding claim 13, the the proposal in combination of Breit and Mech et al. disclose each stator section outer housing includes at least one of a threaded collar and a threaded end.

Regarding claim 23, the proposal in combination of Breit and Mech et al. disclose each of the plurality of stator sections comprises a plurality of conductive elements configured for engagement with a corresponding plurality of conductive elements in an adjacent stator section.

7. Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Breit in view of Mech et al. and further in view of Rivas.

Breit and Mech et al. disclose every aspect of the claimed invention except for each of the plurality of stator sections is fluidly coupleable to an adjacent stator section.

Rivas disclose each of the plurality of stator sections is fluidly coupleable to an adjacent stator section (see col. 3, lines 26-29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the stator sections of Breit and Mech et al. to accommodate with stator sections are fluidly coupleable to an adjacent stator section as taught by Rivas in order to improve cooling of the motor.

Response to Arguments

8. Applicant's arguments with respect to claims 1-16, and 21-23 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion


9. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh Lam whose telephone number is (703) 308-7626. The examiner can normally be reached on m-f 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nestor Ramirez can be reached on (703) 308-1371. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-3432 for regular communications and (703) 305-3432 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0656.


THANH LAM
PRIMARY EXAMINER
June 19, 2003